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COUNSEL/PARTIES OF RECORD	
JUL 12 2018	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

PAUL SCOTT KLEIN,
Plaintiff,

ORDER
Case No. 3:08-cv-191-LRH-VPC

v.
CLARK COUNTY SCHOOL DISTRICT, et al.,
Defendants.

**MOTION FOR ENLARGEMENT OF TIME
FOR DEFENDANT JAMES FIGUEROA TO
RESPOND TO DISCOVERY REQUESTS**

Defendants Cheryl Burson, Michael Maxfield, Jeffrey Patterson, Lavert Taylor, and Brian Williams, by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Erin L. Albright, Deputy Attorney General, hereby file this motion for enlargement of time for Defendant James Figueroa to respond to discovery requests.

This motion is based on the following Memorandum of Points and Authorities and all papers and pleadings on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Defendants request an enlargement of time for Defendant James Figueroa (Defendant Figueroa) to respond to discovery requests. Defendant Figueroa retired from the Nevada Department of Corrections (NDOC) in 2008 and at that time provided his contact address. The discovery requests were mailed to Defendant Figueroa at the address he provided to the NDOC when he retired in 2008. To date, Defendant Figueroa has been non-responsive in this matter. Defendants are attempting to

1 locate Defendant Figueroa. Therefore, Defendants respectfully requests this Court enlarge the time for
2 Defendant Figueroa to respond to the discovery requests served on June 11, 2018 to August 13, 2018.

3 **II. RELEVANT FACTUAL BACKGROUND**

4 Plaintiff served Defendant Figueroa with discovery on June 11, 2018. Defendant Figueroa
5 retired from the NDOC in 2008 and at that time provided his contact address. The discovery requests
6 were mailed to Defendant Figueroa at the address provided when he retired in 2008. To date,
7 Defendant Figueroa has been non-responsive in this matter. Defendants are attempting to locate
8 Defendant Figueroa.

9 **III. LEGAL AUTHORITY AND DISCUSSION**

10 The Court may enlarge the period of time for an act to be performed before the expiration of the
11 specified period of time in which the act was to be done based on a showing of good cause. NRC
12 6(b)(1).

13 Defendants assert good cause exists to extend the deadline for Defendant Figueroa to respond to
14 Plaintiff's discovery requests. The time to respond to the discovery requests has not expired.
15 Defendants seek an enlargement of time for Defendant Figueroa to respond to Plaintiff's discovery
16 requests because Defendants are attempting to locate Defendant Figueroa as the address he provided to
17 the NDOC in 2008 when he retired is no longer valid. Therefore, Defendants respectfully request this
18 Court extend the deadline to respond to Plaintiff's discovery requests to August 13, 2018 so they can
19 attempt to locate Defendant Figueroa. The requested extension is done in good faith and not made for
20 the purposes of delay or to prejudice Plaintiff.

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1 **IV. CONCLUSION**

2 Based on the foregoing, Defendants respectfully request this Court extend the deadline for
3 Defendant Figueroa to respond to Plaintiff's discovery requests to August 13, 2018.

4 DATED this 9th day of July, 2018.

5 ADAM PAUL LAXALT
6 Attorney General

7 By: 

8 ERIN L. ALBRIGHT
9 Deputy Attorney General
10 State of Nevada
11 Bureau of Litigation
12 Public Safety Division

13 *Attorneys for Defendants*

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15 IT IS SO ORDERED

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17 U.S. MAGISTRATE JUDGE

18 DATED: July 12, 2018
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CERTIFICATE OF SERVICE

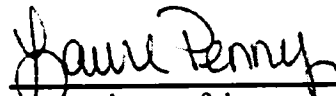
I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 9th day of July, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR ENLARGEMENT OF TIME FOR DEFENDANT JAMES FIGUEROA TO RESPOND TO DISCOVERY REQUESTS**, to the following:

Paul Klein, #30918
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Via email:

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